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International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

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Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families
Twenty-eighth session

Summary record (partial)* of the 376th meeting
Held at the Palais Wilson, Geneva, on Monday, 9 April 2018, at 10 a.m.

Temporary Chair: Ms. Dzumhur

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The meeting was called to order at 10.05 a.m.

Opening of the session

1. **The Temporary Chair** declared open the twenty-eighth session of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families.

Statement by the representative of the United Nations High Commissioner for Human Rights

2. **Mr. Abdelmoula** (Director, Human Rights Council and Treaty Mechanisms Division, Office of the United Nations High Commissioner for Human Rights (OHCHR)) said that he wished to welcome the new members who had been elected to the Committee at the eighth meeting of States parties to the Convention, held in June 2017.

3. The United Nations High Commissioner for Human Rights, referring to the seventieth anniversary of the Universal Declaration of Human Rights in his address at the thirty-seventh session of the Human Rights Council, had pledged to defend the Declaration with passion, especially since oppression had again become fashionable, the security state had returned and fundamental freedoms were in retreat in every region of the world. Unacceptable and intolerable language was being used in the media, discrimination and xenophobia were on the rise and extremist movements were rapidly expanding. Such developments had implications for the Committee's work, as States parties were likely to become less receptive to criticism.

4. The year 2018 marked as well the twenty-fifth anniversary of the Vienna Declaration and Programme of Action, which reaffirmed the equal dignity and worth of every person, including migrant workers, and the twentieth anniversary of the Declaration on Human Rights Defenders. A safer and more conducive environment for human rights defenders was of key importance, and the active involvement of civil society in promoting good governance was indispensable for building peaceful, prosperous and democratic societies. Where States failed to ensure such active participation, the international community had a duty to support and protect freedom of expression, association and peaceful assembly and the right to participate in public affairs. He therefore encouraged the Committee to continue recognizing, in its recommendations to States parties, the crucial role of defenders of migrants' rights in the implementation of the Convention.

5. At the Council's thirty-sixth session, the High Commissioner had reflected upon States' lack of consistency regarding human rights commitments, reprisals against human rights defenders, the selectivity of the Council when dealing with human rights issues in some countries while ignoring others, and attacks by officials on human rights mechanisms. He had encouraged the President of the Council and Member States to develop a stronger and more unified voice in world affairs on behalf of human rights.

6. With regard to the situation of migrants, the High Commissioner had called on the United States of America to provide former beneficiaries of that country's Deferred Action for Childhood Arrivals (DACA) programme with durable legal status. The increase in the detention and deportation of immigrants was of concern, as was the human rights situation of migrants in Hungary and other parts of Europe. Appalled at the horrific abuses that migrants faced on being returned to Libya, he had reminded all Governments that no human being should be deported, under any circumstance, to a place where he or she faced the likelihood of torture or other human rights violations. In addition, he had expressed the hope that the global compact for safe, orderly and regular migration would result in migration governance that was more firmly grounded in human rights.

7. A compendium of principles, good practices and policies on safe, orderly and regular migration in line with international human rights law had been submitted to the Council by OHCHR in support of a rights-based approach for the global compact. In the same vein, the Council had adopted a resolution on unaccompanied migrant children and adolescents in which reference was made to the preparation of a general comment — jointly by the Committee on Migrant Workers and the Committee on the Rights of the Child — on the human rights of children in the context of international migration.

8. As co-chair of the Global Migration Group's Working Group on Human Rights and Gender Equality, OHCHR continued to promote the development of a set of principles and guidelines on the protection of the human rights of migrants in vulnerable situations. It had also launched a joint initiative with the World Health Organization on the promotion of health-related human rights for women, adolescents and children; a meeting of human rights treaty body experts would be convened in June 2018 to consider strategies for acting on the recommendations contained in the report of the High-level Working Group on the Health and Human Rights of Women, Children and Adolescents.

9. Issues related to migration had been the focus of several of the Council's mechanisms and special procedures, including the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur on the sale and sexual exploitation of children and the Special Rapporteur on trafficking in persons, especially women and children. Various statements had been issued urging Libya to take urgent action to end that country's trade in enslaved African migrants. On International Migrants Day, the Chair of the Committee and other United Nations experts had issued a statement calling on States — in line with their legally binding international obligations, including under the Convention — to recognize migrants as integral members of society and as equal rights holders.

10. Intergovernmental negotiations on the global compact for safe, orderly and regular migration had begun in February 2018 and would conclude in July 2018; the text would be submitted for adoption at an intergovernmental conference on international migration to be held in Morocco in late 2018. The Special Rapporteur on the human rights of migrants had issued, jointly with several other special procedure mandate holders, a statement urging States to ensure a rights-based approach when developing the global compact. OHCHR had played an active role in the consultation phase and had co-hosted five side events through which civil society, human rights defenders and migrants themselves had been able to contribute to the process.

11. As an input to the draft global compact, the Secretary-General had prepared a report entitled "Making migration work for all" (A/72/643). That report, which highlighted linkages with the 2030 Agenda for Sustainable Development, identified options for States to help migrants fulfil their economic and social potential, steps to promote regular migration and policies to meet the legitimate security considerations of States concerning irregular migration.

12. At its seventy-second session, the General Assembly had taken a series of financial decisions that had serious implications for OHCHR and the human rights treaty bodies, namely, a 25 per cent reduction in funding for travel by experts, a 10 per cent reduction in funding for travel by staff and approval of only 2 new, temporary posts instead of the 11 posts requested by the Secretary-General. A subsequent assessment of available human resources by OHCHR had found that additional meeting time could be allocated during 2018 only to the Human Rights Committee and the Committee on the Rights of Persons with Disabilities to address backlogs in reporting and individual complaints. While OHCHR was currently looking into ways of adjusting its outputs and workload to ensure the necessary support for core activities, it would not be possible to provide the same level of support for non-core activities as in the past. The situation would be addressed in the second of the reports that the Secretary-General was to present to the General Assembly pursuant to Assembly resolution 68/268. Needless to say, OHCHR remained committed to providing all treaty bodies with the highest quality of support and it would reassess the situation if the outlook improved in the future.

13. **Mr. Tall**, noting with concern that despite the marked increase in migration-related challenges in recent years, the resources required to address those challenges had been cut back, said that it was unclear which activities should be classified as "core" and which as "non-core". He would welcome further information regarding the OHCHR assessment of future prospects, especially for the treaty bodies.

14. **Mr. Kariyawasam** said that the rights of migrant workers and of migrants in general were being violated and ignored throughout the world. As the international community was showing less concern about migrants' rights in the current international political context, OHCHR should attach high priority to the allocation of adequate

resources to the Committee and its support staff so that the plight of migrant workers could be addressed.

15. **Ms. Landázuri de Mora**, noting that the draft global compact did not encourage States to ratify the Convention, urged OHCHR to recommend that a provision to that effect should be included in the text. The United Nations had set aside significant funding for meetings and negotiations on the draft global compact and the Committee should therefore actively participate in the negotiations.

16. **Mr. Oumaria** said that, as the Convention had been ratified by only 51 States, Committee members should organize country visits to promote ratification by other States. He agreed that the Committee should become involved in the negotiations on the global compact. Additional resources were urgently required to enable the Committee to fulfil its mandate.

17. **Mr. Taghi-Zada** said that the trend was towards a dramatic deterioration in the situation of migrant workers in the years ahead. The fact that only 51 States had ratified the Convention was an indicator that most States, especially the relatively more developed nations that were countries of destination, were facing a difficult situation vis-à-vis the rights of migrant workers and their families.

18. **The Temporary Chair**, having visited places in recent weeks where migrants and asylum seekers were accommodated, said that she shared Mr. Taghi-Zada's concern about future prospects. Many destination countries, especially in the European Union, were unwilling to ratify the Convention. Her own country, Bosnia and Herzegovina, had actually been advised to withdraw its ratification. Transit countries were unable to cope with the situation, and it was difficult for States to distinguish between migrants and asylum seekers. For instance, her country tended to assume that people coming from the Syrian Arab Republic, Pakistan and Libya were asylum seekers and that those coming from Algeria, Morocco and Tunisia were illegal migrants.

19. The Committee should focus on the field situation, seek additional ratifications by destination countries and develop partnerships with international bodies, such as the International Organization for Migration (IOM) and the Office of the United Nations High Commissioner for Refugees (UNHCR).

20. **Mr. Abdelmoula** (Director, Human Rights Council and Treaty Mechanisms Division, OHCHR) said he agreed that the migration crisis was escalating. Furthermore, the United Nations and, in particular, OHCHR were receiving less financial and moral support from Member States and other sources. It was therefore essential to identify key strategic issues that should be prioritized, and the Committee could play a significant role in that regard. He strongly encouraged the Committee to expand its partnerships with IOM and UNHCR and with civil society groups.

21. Although OHCHR sought to provide input to the drafting of the global compact, the process was ultimately driven by Member States. The Office had encouraged Member States to include a reference to the importance of ratifying the Convention, but they had opted not to do so. All available forums, such as the Human Rights Council, special procedures, the treaty bodies and civil society partners, should draw attention to the importance of ratification of the Convention and adherence to its normative framework.

22. OHCHR held biannual briefings on the challenges associated with irregular migration. Migrants in an irregular situation faced a heightened risk of being subjected to human rights violations. Following a recent visit to Libya, the United Nations High Commissioner for Human Rights had noted that the measures taken by the member States of the European Union to reduce the flow of migrants, which had included efforts to strengthen the capacity of the law enforcement agencies in Libya, had inadvertently resulted in a deterioration of the situation of migrants in that country. The human rights abuses observed in those areas of the country not under the control of the Libyan authorities had included trafficking in persons, hostage-taking and torture.

23. The situation of migrant workers raised many human rights issues and remained a central concern for OHCHR. Looking ahead, efforts should be made to focus on strategic

areas, build stronger partnerships with stakeholders and strengthen advocacy work in relevant forums.

24. **The Temporary Chair** said that the incoming Chair should draw attention to the importance of promoting the Convention at the next meeting of the Chairs of the human rights treaty bodies. Other treaty bodies should be requested to recommend that the States parties to their respective conventions should ratify the Convention. Given the relevance of the situation of migrant workers to all the other treaty bodies, those bodies could play a useful role in supporting the Committee's advocacy work.

Solemn declaration by the newly elected members of the Committee under rule 11 of the rules of procedure

25. **The Temporary Chair** invited the newly elected members of the Committee to make the solemn declaration under rule 11 of the Committee's provisional rules of procedure. She said that, owing to unforeseen circumstances, Mr. Haque was not in attendance and would make the declaration at a subsequent meeting.

26. *Mr. Botero Navarro, Mr. Frasheri, Mr. Kariyawasam, Mr. Oumaria, Mr. Taghi-Zada and Mr. Tall made the solemn declaration provided for in rule 11 of the Committee's provisional rules of procedure.*

Adoption of the agenda

27. **The Temporary Chair** said that she took it that the Committee wished to adopt the agenda of the twenty-eighth session and the programme of work annexed thereto, subject to any adjustments that might become necessary in the course of the session.

28. *The agenda* (CMW/C/28/1) *was adopted.*

Organizational matters

29. **The Temporary Chair**, recalling the agreed distribution of work, said that Mr. El-Borai and Mr. Tall would be responsible for preparing the concluding observations for Algeria; Ms. Landázuri de Mora and Mr. Ünver for the concluding observations for Guyana; herself and Mr. Ünver for the concluding observations for Saint Vincent and the Grenadines; Mr. Núñez-Melgar Maguiña and Ms. Landázuri de Mora for the list of issues prior to reporting for Argentina; Mr. Nuñez-Melgar Maguiña and Mr. Botero Navarro for the list of issues prior to reporting for Chile; Ms. Landázuri de Mora and Mr. Botero Navarro for the list of issues prior to reporting for Paraguay; and Mr. El Jamri and Mr. Tall for the list of issues prior to reporting for Rwanda.

Promotion of the Convention

Informal meeting with non-governmental organizations and national human rights institutions

30. **Mr. Chouicha** (Syndicat National Autonome des Personnels de l'Administration Publique) said that, that very day, a collective expulsion campaign had been launched in Oran, Algeria. The migrants in question were to be expelled from Algeria on the very day on which the Committee would begin its consideration of the country's second periodic report.

31. The joint report submitted by his organization and EuroMed Droits in connection with the Committee's consideration of the second periodic report of Algeria showed that the situation of migrant workers in the country had not improved over the previous year. The report focused on four key areas.

32. The first was non-compliance with the Convention. Although article 150 of its Constitution stipulated that international treaties ratified by the President took precedence over national law, Algeria was not adequately enforcing the provisions of the Convention. For example, followers of religions other than Islam had to obtain authorization to use places of worship. The precarious administrative status of most migrant workers forced them to turn to the informal economy to access basic services such as accommodation. In

addition, migrant workers' right to security of person was threatened: they were easy prey for criminal gangs, whose animosity towards them was sometimes fomented by political leaders. Migrant workers also had limited access to interpreters — and even to lawyers — at trial. In violation of their rights under article 22 of the Convention, migrant workers continued to be subjected to measures of collective expulsion. Those in an irregular situation also experienced difficulties in receiving payment for their labour. Migrant workers were prohibited from having contact with or obtaining assistance from the consular authorities of their countries of origin. They could not enjoy their rights under article 26, as they were prohibited from having contact with or joining trade unions.

33. With rare exceptions, the school-age children of migrant workers were not educated in public schools. Migrant workers were not able to form associations to defend their interests. Indeed, even international non-governmental organizations (NGOs) faced difficulties in forming associations recognized under Algerian law. The Family Code was based on a very narrow definition of marriage, and spouses' religion remained a recurrent problem. Migrant workers in an irregular situation had limited access to health care, although Algerian NGOs were working to improve such access. Still, the National People's Assembly would soon vote on a bill that, if adopted with a proposed amendment, would prohibit migrants from having access to health care. Lastly, concerning article 49 of the Convention, migrant workers in a regular situation were not permitted to stay in the country after the expiration of their work permit or the termination of their activity.

34. The second area of concern was the inadequate enforcement of Act No. 08-11 of 25 June 2008. Evidence of its inadequate enforcement included the fact that migrant workers subject to expulsion decisions were not formally notified of those decisions or given the right to appeal, the brutal treatment of migrant workers by the security services, the refusal to allow consular officials to take action on behalf of migrant workers, the deportation of migrant workers in a regular situation, and the forced removal of migrant workers and their families to the borders of third countries, which was a practice that had given rise to tensions with the authorities of the Niger.

35. The third area of focus was the need to protect Algerian activists. In late 2017, following pressure from the security services, Fouad Hassam had been dismissed from his position at a private company for his advocacy work on behalf of migrant workers. In addition, the president of Syndicat National, Rachid Malaoui, had been dismissed from a university post for his work as an activist.

36. The fourth area of focus concerned the statements made about migrant workers by the country's political authorities. In July 2017, for example, the Minister for Foreign Affairs of Algeria had described the recent increase in irregular migration as a threat to national security. In February 2018, the President of the National Human Rights Council had announced her intention to make enquiries to verify the recent accusations of the Ministry of Foreign Affairs of the Niger regarding the ill-treatment of sub-Saharan refugees by the Algerian authorities, noting that in November 2017 Algeria had set aside €9 million to ensure the dignified return of 10,000 women and children to their countries of origin.

37. **Ms. Wolf** (Procuración Penitenciaria de la Nación) said that her organization's report, which had been submitted in connection with the Committee's list of issues prior to reporting for Argentina, concerned the situation of foreign nationals in federal correctional facilities and that of persons detained for migration-related administrative offences. Like many countries, Argentina was facing new challenges associated with international migration. Migrants had become the focus of increased attention, which had led to greater stigmatization and, in some cases, to their being portrayed as criminals in order to justify excessive migration control measures.

38. The Migration Act (No. 25871) and its regulatory decree had set out an approach towards migration based on constitutional and international standards, including those contained in the Convention. However, obstacles had been encountered in its implementation, some of which had been due to the fact that the National Migration Directorate had adopted an approach towards migration based on national security. That approach had been reinforced by Emergency Decree No. 70/2017. Although that decree had

recently been declared unconstitutional, difficulties continued to be encountered in the promotion and protection of the fundamental rights of foreign nationals.

39. She wished to focus on three specific areas of concern. First, there was a lack of publicly available data on the immigration detention and expulsion of migrants: that ran counter to the State's commitment to open and transparent governance and civil society participation. Despite recommendations made by, inter alia, the Committee against Torture and the Working Group on Arbitrary Detention to make such data public, the Government had yet to do so. She suggested that the Committee should request Argentina to indicate how it registered cases in which migrants were detained or expelled, how many such cases had been registered since 2011 and where the relevant data were published.

40. Secondly, even in cases involving minor children, the National Migration Directorate continued to issue expulsion decisions without due regard for migrants' right to family reunification. She suggested that the Committee should request Argentina to provide information on the criteria used to grant exemptions from expulsion and, with reference to the period since 2011, to indicate whether it had denied exemptions to foreign nationals with minor children and in which cases and on what grounds it had done so.

41. Thirdly, the expulsion procedure entailed violations of migrants' right to due process and right of defence. One of the main irregularities in that regard concerned the procedure for detaining migrants prior to their expulsion. The National Migration Directorate often requested the immigration detention of foreign nationals before final decisions regarding their expulsion had been issued. In addition, before they were detained, they were not granted hearings and their access to legal aid was not verified. In the majority of cases, migrants did not speak Spanish and thus did not understand the reasons for their detention. In some cases, her organization had noted a failure on the part of the National Migration Directorate to promptly inform the courts of detentions that they had ordered, and, in violation of the Vienna Convention on Consular Relations, a failure to inform the relevant consular authorities. Owing to the arbitrariness of its actions, criminal complaints had been filed against the National Migration Directorate. In that context, she suggested that the Committee should request Argentina to indicate what measures it had taken to guarantee migrants' access to information and their right to due process and right of defence in expulsion proceedings.

42. **Ms. Moreira** (Servicio Jesuita a Migrantes) said that, since 2010, the migrant population in Chile had increased by over 200 per cent and currently constituted 5.8 per cent of the national population, or approximately 1 million people, of whom around 300,000 were migrants in an irregular situation. It was therefore of concern that Chilean migration legislation had not changed since 1975. Progress made as a result of direct governmental action had not been reflected in legislation and there was no specific institution to oversee migration issues.

43. The Government was backing a migration and immigration bill that had been presented to the Congress in 2013. Although the bill enshrined some of the rights recognized by the Convention, it would not fully align national migration law with the Convention or other international standards nor would it establish an appropriate institutional structure. For example, it would not sufficiently guarantee the right to due process in expulsion proceedings, it would maintain the discretionary powers of government agencies and it would not establish detention as an exceptional measure of last resort. It would also restrict access to social rights, potentially preventing the Chilean-born children of migrants with irregular status from obtaining citizenship and contravening national and international human rights standards. Moreover, it would prohibit changes to a foreign national's visa category, which could encourage irregular migration. It was unfortunate that there was no official forum in which NGOs could participate in the fine-tuning of the bill.

44. Progress was needed in access to social rights and in the effective protection and monitoring of labour rights. There had been problems in registering the social security contributions of migrant workers, which had made it difficult for them to access disability benefits and to withdraw accumulated contributions upon leaving Chile. Further resources were needed in education in order to provide Spanish-language classes for Haitian students

and to eliminate all forms of discrimination in access to schooling-related financial support and higher education. Moreover, the protection of migrant children and adolescents needed to be improved, particularly in view of the increasing number of children placed in Government-run residences.

45. The increase in smuggling and trafficking in persons needed to be addressed, in particular the rise in irregular migration from the Dominican Republic since a visa requirement had been established for nationals of that country. Furthermore, in order to prevent violence and discrimination, the Government should ensure that cases of police violence were investigated and punished, and it should introduce additional preventive measures through education and awareness-raising.

46. The Government should ratify the Agreement on Residence for Nationals of the States Parties of MERCOSUR, Bolivia and Chile as around half of foreign nationals in Chile came from States parties to that agreement and ratification could contribute to reducing irregular migration and protecting the rights of migrants. Increased attention should be paid as well to the living conditions of migrants; the Special Rapporteur on adequate housing had drawn attention to the high levels of overcrowding, excessive rents and the high percentage of migrants living in camps or slums.

47. The Committee might wish to ask the State party to specify what measures had been taken in the areas of competence of the executive branch, independent bodies, local government bodies and the National Human Rights Institute. It might also ask about the financial resources Chile made available to fulfil its international obligations in relation to migrants, bearing in mind the country's level of development, positive economic indicators and institutional stability.

48. **Mr. Tall** said that he wished to know whether further efforts had been made to implement the rights of migrant workers and their families since Chile had reported to the Committee in 2011, or whether the situation had deteriorated.

49. **Mr. Botero Navarro** said that he wished to know whether the Chilean Government had taken steps to address violence and discrimination against migrants from Haiti and the Dominican Republic and, if so, what measures had been adopted. Were cases of violence and criminal activity being investigated, particularly those affecting migrants of African descent? What was the present status of the Government's migration bill?

50. **Ms. Moreira** (Servicio Jesuita a Migrantes) said that there had been procedural progress in implementing the rights of migrant workers and their families, such as improved coordination between government bodies, but legislation needed to be amended to enshrine key rights. Cases of violence and discrimination against Haitians of African descent had been heard by the Court of Appeal and the Supreme Court, and the Government was aware that Afrodescendent migrants had been refused entry at the country's borders. The Government was scheduled to announce changes to the migration bill in the near future.

51. **Mr. Tall** said that, with regard to Algeria, he wished to know whether there was any information on how the State party report had been compiled and whether civil society and NGOs had been consulted or otherwise involved in its preparation. What had the Government done to disseminate and give effect to the recommendations made by the Committee in 2010 (CMW/C/DZA/CO/1) and how had they been received by public institutions?

52. The Committee had learned that there had been an increase in the number of migrants, particularly migrants from sub-Saharan Africa, who had been detained in Algeria prior to their deportation and that collective expulsions had also taken place. He wished to know why detentions and collective expulsions had increased and how the migration situation had deteriorated to such an extent.

53. **Mr. Salhi** (Agence Internationale pour le Développement) said that the Committee might wish to ask the Algerian delegation what measures the Government had taken to implement the Committee's earlier recommendations. In reference to the expulsion of approximately 500,000 Moroccans in 1975, the Committee might ask what had happened to the property of the persons who had been expelled; which authority had been responsible

for the collective expulsion order; what the legal and regulatory grounds were for the expulsion; and whether the Government could provide statistics on the specific number of Moroccans expelled. It might also ask the Government to confirm or deny the allegations of degrading and inhuman treatment of Moroccan migrant workers arrested between December 1975 and February 1976; whether compensation would be provided to Moroccans whose human rights had been violated in conjunction with their expulsion; what measures had been taken by the Government to dispose of the property seized from those expelled; and what avenues were available to Moroccans who had been expelled to take legal action in Algeria to seek reparations.

54. Seized property should be returned to its owners, where possible, or fair compensation should be provided in accordance with article 15 of the Convention, including in cases where property had been extorted at the time of expulsion. Money and valuables seized by Algerian customs officers should be returned or compensation in kind should be provided, and funds in bank accounts that had been blocked or forcibly renounced should be returned to the original account holders. Old-age benefits owed to expelled Moroccans should be paid and other social security contributions should be reimbursed, with the necessary measures taken to facilitate the transfer of payments. Reparation for moral and material damages suffered by those expelled should be provided.

55. **Ms. Landázuri de Mora** said that, in relation to Argentina, she would appreciate information on prison conditions for migrants convicted for petty crimes and on whether there was any basis for the connections made in the media between migration and crime. How had prison visits been carried out and were there migrants who had been detained and convicted on procedural grounds following the emergency decree? How many people had been convicted pursuant to the decree and what was the risk of detained migrants not being able to defend themselves?

56. **Mr. Botero Navarro** said that, in relation to Argentina, he wished to know the status of the appeal of the Fifth Chamber to declare the emergency decree unconstitutional. Moreover, he would appreciate information on any cases of persons detained for reasons other than criminal offences since 2016. How many people had been detained on migration charges and what was the impact of the new migration legislation?

57. **Mr. Chouicha** (Syndicat National Autonome des Personnels de l'Administration Publique) said that, as far as he was aware, no NGOs had been consulted during the drafting of the Algerian State party report. NGOs in Algeria were often unrecognized and legislation made it difficult for them to develop. It should be noted that the Algerian Red Crescent helped to manage collective expulsions under the leadership of the relevant authorities.

58. Little had been done to give effect to the Committee's earlier recommendations and mass deportations were often violent. However, there had not been an increase in detentions, and there was a growing awareness among NGOs of the need to discuss migration issues. Migrant workers were often blamed for societal problems in view of the prevailing economic crisis, and several government officials had made negative comments about migrants. Many officials sought to maintain good relations with the European Union, which had called on Algeria, as a transit country, to take action to prevent migrants from reaching Europe; there was, however, little accountability for deportations.

59. **Ms. Wolf** (Procuración Penitenciaria de la Nación) said that the percentage of foreign citizens in Argentine prisons had been relatively stable since 2002. In 2017, migrants had constituted 19 per cent of detainees in federal prisons and 6 per cent of those in the nation's prisons overall.

60. As of the end of March 2017, the appeal on the constitutionality of the emergency decree had not yet been filed. As no data were available on how many migrants had been held, detained or expelled, it was difficult to judge the impact of the emergency decree, although it would theoretically have had a significant impact. Her organization had used legal means to slow down the construction of the detention centre in Buenos Aires; no public information was available about the present status of construction.

The discussion covered in the summary record ended at 12.15 p.m.